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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) Case No. CR 23-240 HSG
14 Plaintiff,)
15 v.)
16 JAIME RICHARDSON,)
17 Defendant.)
18

19 With the agreement of the parties, the Court enters the following Protective Order:

20 The defendant Jamie Richardson is alleged to have violated the terms and conditions of his
21 supervised release based on an alleged incident of domestic violence. Upon receipt of discovery
22 requests, the United States will produce documents and other materials pertaining to the defendant and
23 the alleged supervised release violations to defense counsel.

24 The discovery to be provided includes documents or other materials falling into one or more of
25 the following categories (collectively, “Protected Information”):

26 1. Personal Identifying Information of any individual (other than his or her name), including
27 without limitation any person’s date of birth, social security number, residence or business
28 address, telephone numbers, email addresses, driver’s license number, professional license

number, family members names, or criminal histories (“Personal Identifying Information”);

2. Financial information of any individual or business, including without limitation bank account numbers, credit or debit card numbers, account passwords, contact information, and taxpayer identification numbers (“Financial Information”);
3. Medical records or other patient information of any individual covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (“Medical Information”); and
4. Information implicating the safety of victims, witnesses, undercover officers or agents, and/or confidential informants or sources, as well as information identifying uncharged targets (“Sensitive Information”).

The United States will identify discovery materials as Protected Information by marking such materials “CONFIDENTIAL— SUBJECT TO PROTECTIVE ORDER” or “SENSITIVE INFORMATION—SUBJECT TO PROTECTIVE ORDER” or by providing written notice identifying discovery materials as Protected Information. If defense counsel disputes the government’s designation of specific materials as Protected Information, then, after meeting and conferring with the government, defense counsel or the government may seek Court intervention to resolve the dispute. Pending resolution of the dispute, the disputed materials shall continue to be treated as Protected Information subject to the terms of this Protective Order. Per Rule 16(d)(1) of the Federal Rules of Criminal Procedure, the government must be prepared to support materials designated as Protected Information with a showing of good cause.

To ensure that Protected Information is not subject to unauthorized disclosure or misuse,
IT IS HEREBY ORDERED that defense counsel of record, their investigators, assistants,
ees, and independent contractors (collectively, “the Defense Team”) may review with the
ant all discovery material produced by the government, but shall not provide the defendant with
of, or permit the defendant to make copies of, or have unsupervised access to, Sensitive
ation (without regard to whether those materials have been redacted). The Defense Team shall
vide the defendant with copies of, or permit the defendant to make copies of, or have
rvised access to any discovery material produced by the government that contains Personal
yng Information, Financial Information, or Medical Information, unless the Personal Identifying

1 Information, Financial Information, and/or Medical Information has first been entirely redacted. The
2 government and defense counsel are ordered to work together to ensure that these materials are
3 protected, and that defendant has as much access to the materials as can be provided consistent with this
4 Court's order. Discovery material that clearly pertains to a specific defendant and does not contain
5 Protected Information regarding any other person (e.g., defendant's own bank records, telephone
6 records, and business records) may be provided to that defendant unredacted.

7 In the course of preparing a defense, a member of the Defense Team may show witnesses
8 Protected Information, or discuss Protected Information with witnesses, if the Defense Team has a good
9 faith basis to believe that the witness has knowledge of information related to the Protected Information.
10 While members of the Defense Team may show Protected Information to such witnesses, no member of
11 the Defense Team shall provide any witness with copies of, or permit the witness to make copies of, or
12 have unsupervised access to Protected Information. Witnesses may only view Protected Information in
13 the presence of a member of the Defense Team. The Defense Team agrees to keep a log reflecting the
14 date(s) on which a particular witness viewed Protected Information and what specific Protected
15 Information was viewed.

16 Defense counsel may also provide unredacted copies of Protected Information to any experts
17 retained to assist with the preparation of the defense in the captioned case. The defendant, all members
18 of the Defense Team, and any experts who receive discovery under this Order shall be provided a copy
19 of this Order along with those materials and shall initial and date the order reflecting their agreement to
20 be bound by it.

21 The materials provided pursuant to this protective order may only be used for the specific
22 purpose of preparing or presenting a defense in this matter unless specifically authorized by the Court.

23 This Order shall also apply to any copies made of any materials covered by this Order.

24 **IT IS FURTHER ORDERED** that neither a defendant nor any member of the Defense Team
25 shall provide any Protected Information produced by the government to any third party (i.e., any person
26 who is not a member of the Defense Team), except in the manner described above with respect to
27 witnesses or experts, or make any public disclosure of the same, other than in a court filing, without the
28 government's express written permission or further order of this Court. If a party files a pleading that

1 contains or attaches Protected Information subject to this Order, the Protected Information must be
2 accompanied by a request to file under seal.

3 **IT IS FURTHER ORDERED** that upon request of the United States, counsel for defendant
4 shall return or destroy materials subject to this Protective Order (including any copies) within 30 days,
5 unless counsel for defendant can ensure that the Protected Information will continue being kept under
6 the conditions specified in this Order and agrees to do so under the conditions specified in this Order. If
7 counsel for defendant returns documents and materials subject to this Order to the United States, the
8 United States shall maintain those documents and materials until the period for filing a motion under 28
9 U.S.C. § 2255 has expired. After the statutory period for filing a motion under 28 U.S.C. § 2255 has
10 expired, the United States is free to destroy documents and materials subject to this Order. If the
11 defendant is represented by counsel and files a motion pursuant to 28 U.S.C. § 2255, the United States
12 will provide counsel with the documents and materials subject to this Protective Order under the terms
13 of this Order. Upon request by predecessor counsel, counsel for defendant may provide materials
14 subject to this Protective Order under the conditions specified in this Order.

15 This stipulation is without prejudice to either party applying to the Court to modify the terms of
16 this protective order. This Court shall retain jurisdiction to modify this Order upon motion of either
17 party even after the conclusion of district court proceedings in this case.

18 **IT IS SO STIPULATED.**

19 DATED: December 6, 2023

Respectfully submitted,

20 ISMAIL J. RAMSEY
21 United States Attorney

22 /s/

23 GARTH HIRE
24 KELSEY DAVIDSON
25 Assistant United States Attorneys

26 DATED: December 6, 2023

27 /s/
28 MATTHEW DIRKES
Attorney for Defendant
Jamie Richardson

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IT IS SO ORDERED.
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5 DATED: 12/6/2023
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HON. HAYWOOD S. GILLIAM, JR.
United States District Judge